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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,202	08/06/2001	John E. McCall	00163.1415US01	8895

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EXAMINER	
DIXON, THOMAS A	

ART UNIT	PAPER NUMBER
3639	

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/923,202	MCCALL, JOHN E.	
	Examiner	Art Unit	
	Thomas A. Dixon	3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 April 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13,43-55 and 80-97* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13,43-55 and 80-97* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Review of the Koropitzer et al ('5,694,323) reference has necessitated the withdrawal of the indication of allowable subject matter and new rejections below.

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-2, 6, 8-13, 43-44, 48, 50-55, 80-97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koropitzer et al (5,694,323) in view of Garber et al (4,905, 163).

As per Claim 1.

Koropitzer et al ('323) discloses:

receiving a plurality of collected data relating to a destination facility, each of the plurality of collected data being associated with one of a plurality of data types, see column 4, lines 1-30;

generating data conclusions based on an analysis between each of the plurality of collected data and an advisory rule corresponding to the data type of the collected data being analyzed, see column 9, lines 26-64;

mapping the data conclusions to advisory information, see column 9, lines 61-64;

storing advisory information in a storage module for subsequent access by the field service providers, see column 11, lines 42-59;

receiving a request from a specific field services provider for presentation of specific advisory information, the request comprising a provider identification code associated with the specific field service provider, see column 12, lines 34-36 and column 10, lines 4-7;

in response to receipt of the request, retrieving the specific advisory information from the storage module based on the provider identification code, see column 12, lines 32-51;

presenting the specific advisory information to the specific field services provider through the network device, see column 12, lines 44-51.

Koropitzer et al ('323) does not specifically disclose a plurality of data types and retrieving an identification code representative of a specific data type of advisory information that the field service provider is authorized to access and retrieving advisory information from a specific data type record based on the provider identification code.

Garber et al (4,905,163) teaches a plurality of data types (definitions) for providing advisory information based on provider identification code, see column 33, lines 30-43 for the benefit of providing appropriate access to medical records.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to store data in a plurality of data types and provide access based on a provider identification code for the benefit of providing appropriate levels of access to data.

As per Claim 2, 44.

Koropitzer et al ('323) further discloses the receiving act comprises:

collecting device data associated with utility devices maintained at the destination facility, see column 4, lines 1-44;

collecting business data associated with a customer of a service providing company employing the field service provider to provide a service to the customer at the destination facility, see column 9, line 65 – column 10, line 13; and

collecting census data associated with the destination facility, see column 10, lines 1-13.

As per Claim 6.

Koropitzer et al ('323) further discloses providing the specific advisory information as a script in a format based on the network device through which the specific field service provider is communicating to the computer through the network, see column 11, lines 50 – column 12, line 3.

As per Claim 8, 50.

Koropitzer et al ('323) further discloses the script is a visual format, see column 11, lines 60-64.

As per Claim 9, 51.

Koropitzer et al ('323) further discloses the script is a text format, see column 11, lines 60-64.

As per Claim 10, 52.

Koropitzer et al ('323) further discloses the specific field service provider provides a service at the destination facility based on the specific advisory information, see column 10, lines 1-7.

As per Claim 11, 53.

Koropitzer et al ('323) further discloses:

the storage module further comprises a plurality of customer account records, the advisory information to which each data conclusion is mapped being further categorized in the storage module within the customer account records, see figures 9, 6, 7;

Koropitzer et al ('323) does not specifically disclose accessing the specific data type record and a specific customer account record based on the provider identification code.

Garber et al (4,905,163) teaches a plurality of data types (definitions) for providing advisory information based on provider identification code, see column 33, lines 30-43 for the benefit of providing appropriate access to medical records.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to store data in a plurality of data types and provide access based on a provider identification code for the benefit of providing appropriate levels of access to data.

As per Claim 12, 54.

Koropitzer et al ('323) further discloses:

the storage module further comprises a plurality of customer account records, the advisory information to which each data conclusion is mapped being further categorized in the storage module within the customer account records, see figures 9, 6, 7, the retrieving act comprises:

accessing a specific customer account record based on a customer account code input into the computer network by the specific field service provider communicating via the network device, wherein the specific data type record is one of the plurality of data type records associated with the specific customer account record, see figures 9, 6, 7;

Koropitzer et al ('323) does not specifically disclose data type records.

Garber et al (4,905,163) teaches a plurality of data types (definitions) for providing advisory information based on provider identification code, see column 33, lines 30-43 for the benefit of providing appropriate access to medical records.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to store data in a plurality of data types for the benefit of providing appropriate levels of access to data.

As per Claims 13, 55.

Koropitzer et al ('323) does not disclose the provider's identification code comprises a specialty area code corresponding to a specialty area associated with the specific field service provider, the act of accessing a specific data type record comprising:

selecting the specific data-type record based on the specialty area codes.

Garber et al (4,905,163) teaches a plurality of data types (definitions) for providing advisory information based on provider identification code, see column 33, lines 30-43 for the benefit of providing appropriate access to medical records.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to store data in a plurality of data types for the benefit of providing appropriate levels of access to data.

As per Claim 48.

Koropitzer et al ('323) further discloses the advisory information is in the form of a script in a format based on the network device through which the field service provider is connected to the advisory module, see figures 6-7.

As per Claim 43.

Koropitzer et al ('323) discloses:

receiving a plurality of collected data relating to a destination facility, each of the plurality of collected data being associated with one of a plurality of data types, see column 4, lines 1-30;

generating data conclusions based on an analysis between each of the plurality of collected data and an advisory rule corresponding to the data type of the collected data being analyzed, see column 9, lines 26-64;

mapping the data conclusions to advisory information, see column 9, lines 61-64;

storing advisory information in a storage module for subsequent access by the field service providers, see column 11, lines 42-59;

receiving a request from a specific field services provider for presentation of specific advisory information, the request comprising a provider identification code associated with the specific field service provider, see column 12, lines 34-36 and column 10, lines 4-7;

in response to receipt of the request, retrieving the specific advisory information from the storage module based on the provider identification code, see column 12, lines 32-51;

presenting the specific advisory information to the specific field services provider through the network device, see column 12, lines 44-51.

Koropitzer et al ('323) does not specifically disclose a plurality of data types and retrieving an identification code representative of a specific data type of advisory information that the field service provider is authorized to access and retrieving advisory information from a specific data type record based on the provider identification code.

Garber et al (4,905,163) teaches a plurality of data types (definitions) for providing advisory information based on provider identification code, see column 33, lines 30-43 for the benefit of providing appropriate access to medical records.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to store data in a plurality of data types and provide access based on a provider identification code for the benefit of providing appropriate levels of access to data.

As per Claim 80, 89.

Koropitzer et al ('323) does not specifically disclose the provider identification code comprises a specialty area code corresponding to a specialty area associated with the specific field service provider, the retrieving act comprising selecting the specific data type record based on the specialty area code.

Garber et al (4,905,163) teaches a plurality of data types (definitions) for providing advisory information based on provider identification code, see column 33, lines 30-43 for the benefit of providing appropriate access to medical records.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to store data in a plurality of data types and provide access based on a provider identification code for the benefit of providing appropriate levels of access to data.

As per Claim 81, 90.

Koropitzer et al ('323) further discloses one or more business data type records and one or more device data type records, see column 9, line 65 – column 10, line 13.

As per Claim 82, 91.

Koropitzer et al ('323) does not specifically disclose the provider identification code represents that the specific field service provider is authorized to access advisory information derived from device data, the retrieving act comprising:

accessing the specific data type record from the one or more device data type records and retrieving advisory information therefrom.

Garber et al (4,905,163) teaches a plurality of data types (definitions) for providing advisory information based on provider identification code, see column 33, lines 30-43 for the benefit of providing appropriate access to medical records.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to store data in a plurality of data types and provide access based on a provider identification code for the benefit of providing appropriate levels of access to data.

As per Claim 83, 94.

Koropitzer et al ('323) does not specifically disclose the provider identification code represents that the specific field service provider is authorized to access advisory information derived from business data, the retrieving act comprising:

accessing the specific data type record from the one or more device data type records and retrieving advisory information therefrom.

Garber et al (4,905,163) teaches a plurality of data types (definitions) for providing advisory information based on provider identification code, see column 33, lines 30-43 for the benefit of providing appropriate access to medical records.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to store data in a plurality of data types and provide access based on a provider identification code for the benefit of providing appropriate levels of access to data.

As per Claim 84, 93

Koropitzer et al ('323) further discloses one or more business data records and one or more device data records, see column 9, line 65 – column 10, line 13, but does not disclose they are stored in device data type record, business data type record and storing advisory information derived from the collected census data in the census data record type, but the storing of this data does not patentably distinguish over the prior art because the data are not utilized.

As per Claim 85, 94.

Koropitzer et al ('323) further discloses collecting device and business data, see column 9, line 65 – column 10, line 13.

As per Claim 86, 95.

Koropitzer et al ('323) further discloses storing business data, device data and advisory data, see column 9, line 65 – column 10, line 13, but does not disclose they are stored in device data type record, business data type record but the collection of this data does not patentably distinguish over the prior art because the data are not utilized.

As per Claim 87, 96.

Koropitzer et al ('323) further discloses:

customer account records, see figures 9, 6, 7, but does not disclose the retrieving act comprises:

accessing a specific customer account record based on the provider identification code.

Garber et al (4,905,163) teaches a plurality of data types (definitions) for providing advisory information based on provider identification code, see column 33, lines 30-43 for the benefit of providing appropriate access to medical records.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to store data in a plurality of data types for the benefit of providing appropriate levels of access to data.

As per Claim 88, 97.

Koropitzer et al ('323) further discloses device data and business data and customer accounts, see column 9, line 65 – column 10, line 13, see figures 9, 6, 7 but does not disclose the retrieving act comprises:

accessing a specific customer account record based on the provider identification code.

Garber et al (4,905,163) teaches a plurality of data types (definitions) for providing advisory information based on provider identification code, see column 33, lines 30-43 for the benefit of providing appropriate access to medical records.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to store data in a plurality of data types for the benefit of providing appropriate levels of access to data.

4. Claims 3, 45, 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koropitzer et al (5,694,323) in view of Garber et al (4,905, 163) further in view of Wakefield (5,961,561).

As per Claim 3, 45.

Koropitzer et al ('323) does not disclose a wireless network.

Wakefield ('561) teaches transmitting advisory information to the field service provider via the wireless interface module, see figure 1, column 6, lines 14-49 for the benefit of enabling a technician to analyze the error code and take necessary steps to eliminate the error code.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to transmit the advisory data wirelessly for the benefit of enabling a technician to analyze the error code and take necessary steps to eliminate the error code.

As per Claim 47.

Koropitzer et al ('323) does not disclose a wireless telephone.

Wakefield ('561) teaches transmitting advisory information to the field service provider via the wireless interface module, see figure 1, column 6, lines 14-49 for the benefit of enabling a technician to analyze the error code and take necessary steps to eliminate the error code.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to transmit the advisory data wirelessly for the benefit of enabling a technician to analyze the error code and take necessary steps to eliminate the error code.

5. Claims 4, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koropitzer et al (5,694,323) in view of Garber et al (4,905, 163) further in view of Wakefield (5,961,561) further in view of Durston et al (4,707,848).

As per Claims 4, 46.

Koropitzer et al ('323) does not specifically disclose transmitting advisory information to the field service provider as the field service provider is in transit between a first destination facility and a second destination facility.

Durston et al ('848) teaches providing off-duty communications with a central office without technician intervention, which is seen to be between a first destination facility and a second destination facility, see abstract, for the benefit of allowing the field service provider to go directly to the next destination without checking back in to the headquarters for new assignments.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to transmit information to the field service provider between a first destination and a second destination as taught by Durston et al ('848) for the benefit of allowing the field service provider to go directly to the next destination without checking back in to the headquarters for new assignments.

6. Claims 5, 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koropitzer et al (5,694,323) in view of Garber et al (4,905, 163) further in view of Wakefield (5,961,561) further in view of Durston et al (4,707,848) further in view of Ziegra et al (5,619,183).

As per Claims 5, 49.

Koropitzer et al ('323) does not disclose the advisory is audio.

Ziegra et al ('183) teaches text audio and video links for the operator to review, see column 8, lines 32-45 for the benefit of offering the technician information in multiple formats.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to send an audio advisory as taught by Ziegra et al ('183) in the invention of Koropitzer et al ('323) for the benefit of offering the technician information in multiple formats.

7. Claims 7, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koropitzer et al ('323) in view of Garber et al (4,905, 163) further in view of Ziegra et al (5,619,183).

As per Claims 7, 45.

Koropitzer et al ('323) does not disclose the advisory is audio.

Ziegra et al ('183) teaches text audio and video links for the operator to review, see column 8, lines 32-45 for the benefit of offering the technician information in multiple formats.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to send an audio advisory as taught by Ziegra et al ('183) in the invention of Koropitzer et al ('323) for the benefit of offering the technician information in multiple formats.

Prior art made of record

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Doherty et al (6,735,293) teaches advisory information being sent wirelessly as a page, see column 5, lines 55-62 and column 7, lines 48-55 for the benefit of notifying a service technician in the field.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (571) 272-6803. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas A. Dixon
Primary Examiner
Art Unit 3639

June 05